

THURSDAY, MARCH 11, 1999
FIFTEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Ridgeway.

Representative Ridgeway led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Cooper; family illness.

Representative Miller; illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 138: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Bill No. 20: Rep(s). Bone as prime sponsor(s).

House Bill No. 34: Rep(s). Todd as prime sponsor(s).

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- House Bill No. 46:** Rep(s). Beavers as prime sponsor(s).
- House Bill No. 50:** Rep(s). Walley as prime sponsor(s).
- House Bill No. 253:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 322:** Rep(s). Hagood as prime sponsor(s).
- House Bill No. 454:** Rep(s). West as prime sponsor(s).
- House Bill No. 585:** Rep(s). Davis (Cocke), Scroggs, Wood, Ridgeway and Roach as prime sponsor(s).
- House Bill No. 622:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 659:** Rep(s). Baird, Fitzhugh, Langster, Bone, West, Pleasant, Lewis, Walker, Hagood, Montgomery and Buttry as prime sponsor(s).
- House Bill No. 674:** Rep(s). Fowlkes and McKee as prime sponsor(s).
- House Bill No. 714:** Rep(s). Windle and Curtiss as prime sponsor(s).
- House Bill No. 739:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 841:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 842:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 914:** Rep(s). Maddox as prime sponsor(s).
- House Bill No. 937:** Rep(s). Windle as prime sponsor(s).
- House Bill No. 1046:** Rep(s). Pinion as prime sponsor(s).
- House Bill No. 1094:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 1139:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 1275:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 1323:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 1326:** Rep(s). Chumney as prime sponsor(s).
- House Bill No. 1414:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 1415:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 1428:** Rep(s). Brooks as prime sponsor(s).
- House Bill No. 1442:** Rep(s). Ferguson as prime sponsor(s).

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House Bill No. 1480: Rep(s). Pinion as prime sponsor(s).

**REPORT OF CHIEF ENGROSSING CLERK
March 9, 1999**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 296 and 471.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS
March 9, 1999**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 110 and 111; also, House Resolution(s) No(s). 11.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
March 9, 1999**

The Speaker signed the following: House Joint Resolution(s) No(s). 110 and 111; also, House Resolution(s) No(s). 11.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 9, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 110 and 111; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
March 9, 1999**

The following bill(s) was/were transmitted to the Governor for his action: House Joint Resolution(s) No(s). 110 and 111.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS
March 9, 1999**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 172, 205, 221 and 291.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
March 9, 1999

The Speaker signed the following: House Bill(s) No(s). 172, 205, 221 and 291.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
March 9, 1999

The Speaker signed the following: Senate Bill(s) No(s). 49.

MESSAGE FROM THE SENATE
March 9, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 172, 205, 221 and 291; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 9, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 388, 421, 474, 514, 614, 782, 793, 933, 1025 and 1446; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 388** -- Advertising - Specifies that vegetation not eligible for removal under vegetation control permit if, on day outdoor advertising is erected, such vegetation blocks vehicle occupants' view of outdoor advertising from a distance 500 yards or less on main traveled ways. Amends TCA Section 54-21-119. by *Cooper. (HB1049 by *Buck, *White)

***Senate Bill No. 421** -- Consumer Protection - Gives consumer 30 days to cancel services or membership if consumer received, subscribed to or purchased services or membership by executing unsolicited negotiable instrument. Amends TCA Title 47, Chapter 18, Part 1. by *Fowler, *Herron. (HB787 by *Wood)

***Senate Bill No. 474** -- Driver Licenses - Establishes maximum reinstatement fee of \$500 for all revocation/suspension actions over ten years old. Amends TCA Section 55-12-129. by *Henry, *Dixon. (HB511 by *Odom)

***Senate Bill No. 514** -- Bail, Bail Bonds - Requires professional bondsman arrested for felony to notify and provide information concerning arrest to each court before which bondsman qualified to practice. Amends TCA Title 40, Chapter 11, Part 3. by *Cohen. (HB1519 by *Buck)

Senate Bill No. 614 -- Highways, Roads and Bridges - Requires chief administrative officers under county uniform highway law to demonstrate receipt of high school diploma or equivalency diploma if such diploma required under law. Amends TCA Section 54-7-104. by *Davis L. (*HB421 by *Rhinehart)

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Senate Bill No. 782 -- Highway Signs - "Metcalf Overlook," most southerly scenic overlook on U.S. 23 in Unicoi County. by *Haun. (*HB542 by *Whitson)

***Senate Bill No. 793** -- Ethics - Permits former member of registry of election finance to support candidate or committee of candidate for federal office in any way, including financially. Amends TCA Section 2-10-203. by *Cohen, *Rochelle, *Dixon. (HB814 by *Kisber)

Senate Bill No. 933 -- Game and Fish Laws - Authorizes Gatlinburg to charge one-day fee of \$2.00 and three-day fee of \$6.00 for trout fishing licenses. Amends TCA Section 70-2-219. by *Clabough. (*HB527 by *Montgomery)

Senate Bill No. 1025 -- Sewage - Authorizes water and wastewater treatment authorities to regulate non-traditional sewage disposal systems that serve more than one household Amends TCA Section 68-221-607. by *Blackburn. (*HB817 by *Sargent, *Williams (Williamson))

Senate Bill No. 1446 -- Highway Signs - "George Morgan Parkway," segment of U.S. Highway 27 in Hamilton County. by *Fowler. (*HB796 by *Sharp)

MESSAGE FROM THE SENATE

March 9, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 112, 113, 116, 118 and 128; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 112 -- Memorials, Personal Occasion - Mr. and Mrs. Bill Gilley, 50th Wedding Anniversary. by *Cooper.

Senate Joint Resolution No. 113 -- Memorials, Recognition and Thanks - Paul Plant. by *Cooper, *Springer.

Senate Joint Resolution No. 116 -- Memorials, Professional Achievement - Dr. Melvin Eugene Blevins, 1998 Milken National Educator award. by *Haun.

Senate Joint Resolution No. 118 -- Memorials, Recognition and Thanks - Senator James Kyle for services as chair of Correction Oversight Committee. by *Wilder, *Crutchfield, *Haynes, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack, *McNally.

Senate Joint Resolution No. 128 -- Memorials, Death - Judith A. Warren. by *Kyle.

THURSDAY, MARCH 11, 1999 -- FIFTEENTH LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK

March 9, 1999

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 172, 205, 221 and 291.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 9, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 93, 95, 96, 98, 99, 101, 102, 103, 104, 105, 107, 108, 109, 126 and 127; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

March 9, 1999

The Speaker signed the following: Senate Joint Resolution(s) No(s). 93, 95, 96, 98, 99, 101, 102, 103, 104, 105, 107, 108, 109, 126 and 127.

MESSAGE FROM THE SENATE

March 10, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 112; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 10, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 433; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 10, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 165, 265, 462, 632, 742, 788, 923, 957 and 1108; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 165** -- Highway Signs - Designates "Albert Gore, Sr. Memorial Interstate Highway System" in Tennessee; provides for appropriate signage. by *Cohen, *Atchley, *Burks, *Clabough, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Eisea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Person, *Rochelle, *Springer, *Wilder, *Williams, *Womack. (HB843 by *Naifeh, *Rinks, *DeBerry L, *Hargrove, *Williams (Williamson), *Langster, *Bone, *McDonald, *West)

Senate Bill No. 265 -- Pensions and Retirement Benefits - Establishes maximum benefits for certain members of TCRS. Amends TCA Section 8-36-208. by *Rochelle, *Womack, *Harper, *Herron. (*HB239 by *Rhinehart, *Naifeh, *Goins, *Baird, *Todd, *Bunch, *Beavers, *Ford S, *Patton, *Turner (Hamilton), *Kent, *Stulce, *Roach, *Davis (Washington), *Davis (Cocke), *Whitson, *McDaniel, *Cole (Carter), *Wood, *Cooper B, *Sharp, *Bittle, *Boyer, *Montgomery, *Walker (Rhea))

***Senate Bill No. 462** -- Judgments - Exempts Families First benefits from execution, seizure or attachment. Amends TCA Section 26-2-111. by *Harper, *Dixon. (HB947 by *Brooks, *Cooper B, *Jones, S., *Brown, *Pruitt, *DeBerry L, *Miller L)

***Senate Bill No. 632** -- Driver Licenses - Provides suspension or revocation of driver license not take effect until ten days after notice has been sent to driver's last known address; provides that notice requirement does not apply to license suspension or revocation by court of competent jurisdiction or where license surrendered to court. Amends TCA Title 55, Chapter 50, Part 5. by *Fowler, *Dixon. (HB782 by *McAfee)

Senate Bill No. 742 -- Tennessee Housing Development Agency - Removes requirement that state and local appropriation portions of homebuyer's revolving loan fund pool be interest free. Amends TCA Section 13-23-303(a). by *Dixon. (*HB564 by *Bowers)

Senate Bill No. 788 -- Mobile Homes and Manufactured Buildings - Specifies circumstances under which owner of land used as mobile home or trailer park may acquire lien on moveable structure for rent due; requires notice to other lienholders by owner of such land before any lien is granted to such owner, except for first priority lien for municipal and county taxes. Amends TCA Section 67-5-802. by *Haun. (*HB625 by *Lewis, *Ford S, *Goins, *Baird, *Curtiss, *Ferguson, *Hargrove, *Buck)

***Senate Bill No. 923** -- Highway Signs - "Senator Carl O. Koella, Jr., Memorial Highway," I-140 from I-40 in Knox County to U.S. 321 in Blount County. by *Clabough, *Cooper, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Crowe, *Crutchfield, *Davis L, *Dixon, *Eisea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack. (HB1239 by *Kerr, *McCord, *Montgomery, *Buttry)

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***Senate Bill No. 957** -- Insurance Companies, Agents, Brokers, Policies - Permits any mutual insurance company other than life insurance company to become state stock insurance company Amends TCA Section 56-19-125. by *Haun. (HB1220 by *Sargent)

***Senate Bill No. 1108** -- Pensions and Retirement Benefits - Allows certain Group 1 members of TCRS to collect extra amounts such members paid into TCRS. Amends TCA Section 8-36-201(g). by *Cooper. (HB1331 by *Hargrove)

MESSAGE FROM THE SENATE

March 10, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 142, 143 and 146; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 142 -- Memorials, Professional Achievement - Keith and Linda Fowler, 1999 American Farm Bureau Award recipients. by *Herron, *Burks.

Senate Joint Resolution No. 143 -- General Assembly, Joint Conventions - Dr. Naomi Geraldine "Gerry" House, 1999 National Superintendent of the Year by the AASA; and election of members of state election commission, Monday, March 15, 1999; 5:30 p.m. by *Dixon.

Senate Joint Resolution No. 146 -- Memorials, Professional Achievement - Dr. Naomi Geraldine "Gerry" House, 1999 National Superintendent of the Year. by *Dixon, *Kyle, *Ford J, *Leatherwood, *Person, *Cohen.

MESSAGE FROM THE SENATE

March 10, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 39, 62, 369 and 422; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 11, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 149; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 149 -- Memorials, Public Service - Frankie S. Blakley. by *Davis L.

MESSAGE FROM THE SENATE

March 11, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 119, 122, 123, 124, 125, 129 and 130; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 119 -- Memorials, Sports - Daniel Boone High School cross-country team, TSSAA state champions. by *Crowe.

Senate Joint Resolution No. 122 -- Memorials, Retirement - Dorothy R. Leader. by *Crutchfield.

Senate Joint Resolution No. 123 -- Memorials, Death - Senator Albert Gore, Sr. by *Rochelle, *Haynes, *Crutchfield, *McNally, *Womack, *Cohen, *Harper, *Dixon, *Springer, *Herron, *Graves, *Davis L.

Senate Joint Resolution No. 124 -- Memorials, Retirement - Ed and Sue Ralfalowski, owners and operators of Elm Hill Marina. by *Rochelle.

Senate Joint Resolution No. 125 -- Memorials, Congratulations - Robertson County Fair, 1998 champion, Division AAA, Tennessee Association of Fairs competition. by *Graves.

Senate Joint Resolution No. 129 -- Memorials, Recognition and Thanks - James Mansfield, Jr. by *Cooper.

MESSAGE FROM THE SENATE

March 11, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 150, 151, 152, 153 and 154; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 150 -- Memorials, Public Service - John A. Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 151 -- Memorials, Public Service - Ronnie Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 152 -- Memorials, Public Service - John C. Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 153 -- Memorials, Public Service - Joe Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 154 -- Memorials, Public Service - Mike Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

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Senate Joint Resolution No. 130 -- Memorials, Death - Lieutenant Steven McCulley. by *Burchett, *Atchley, *McNally.

PERSONAL ORDERS

BILL WITHDRAWN

On motion of Rep. Lewis, **House Bill No. 1599** was recalled from the Transportation Committee and withdrawn from the House.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 129 -- Naming and Designating - Diantha Pare' Day in Oak Ridge, September 21, 1998. by *Caldwell.

House State and Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 15, 1999:

House Joint Resolution No. 130 -- Memorials, Sports - Megan Dunigan, tennis. by *Caldwell.

House Joint Resolution No. 131 -- Memorials, Death - Huston "Friday" Higdon. by *Fowlkes, *Beavers.

House Joint Resolution No. 132 -- Memorials, Public Service - Representative Jerry Cross. by *Ridgeway, *Odum, *Brown, *Tidwell, *Stulce, *Bittle, *Godsey, *McCord, *McAfee, *Kernell, *Scroggs, *Curtiss, *Garrett.

House Joint Resolution No. 133 -- Memorials, Public Service - Patricia Lynne Hatfield. by *Dunn.

House Joint Resolution No. 134 -- Memorials, Professional Achievement - Ray Shular, Powell Man of the Year 1998. by *Dunn.

House Joint Resolution No. 135 -- Memorials, Professional Achievement - Ralph Teague, Powell Business and Professional Businessperson of the Year. by *Dunn, *Armstrong, *Bittle, *Buttry, *Tindell, *Hagood, *Montgomery.

House Joint Resolution No. 137 -- Memorials, Recognition and Thanks - Blackman Community Club Barbecue, 50th anniversary. by *Eckles, *Beavers, *Hood.

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House Joint Resolution No. 139 -- Memorials, Professional Achievement - Norma James, 1999 Special Education Teacher of the Year Award recipient. by *Caldwell.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 15, 1999:

Senate Joint Resolution No. 112 -- Memorials, Personal Occasion - Mr. and Mrs. Bill Gilley, 50th Wedding Anniversary. by *Cooper.

Senate Joint Resolution No. 113 -- Memorials, Recognition and Thanks - Paul Plant. by *Cooper, *Springer.

Senate Joint Resolution No. 116 -- Memorials, Professional Achievement - Dr. Melvin Eugene Blevins, 1998 Milken National Educator award. by *Haun.

Senate Joint Resolution No. 118 -- Memorials, Recognition and Thanks - Senator James Kyle for services as chair of Correction Oversight Committee. by *Wilder, *Crutchfield, *Haynes, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Davis L, *Dixon, *Elsa, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack, *McNally.

Senate Joint Resolution No. 119 -- Memorials, Sports - Daniel Boone High School cross-country team, TSSAA state champions. by *Crowe.

Senate Joint Resolution No. 122 -- Memorials, Retirement - Dorothy R. Leader. by *Crutchfield.

Senate Joint Resolution No. 123 -- Memorials, Death - Senator Albert Gore, Sr. by *Rochelle, *Haynes, *Crutchfield, *McNally, *Womack, *Cohen, *Harper, *Dixon, *Springer, *Herron, *Graves, *Davis L.

Senate Joint Resolution No. 124 -- Memorials, Retirement - Ed and Sue Ralfalowski, owners and operators of Elm Hill Marina. by *Rochelle.

Senate Joint Resolution No. 125 -- Memorials, Congratulations - Robertson County Fair, 1998 champion, Division AAA, Tennessee Association of Fairs competition. by *Graves.

Senate Joint Resolution No. 128 -- Memorials, Death - Judith A. Warren. by *Kyle.

Senate Joint Resolution No. 129 -- Memorials, Recognition and Thanks - James Mansfield, Jr. by *Cooper.

Senate Joint Resolution No. 130 -- Memorials, Death - Lieutenant Steven McCulley. by *Burchett, *Atchley, *McNally.

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Senate Joint Resolution No. 142 -- Memorials, Professional Achievement - Keith and Linda Fowler, 1999 American Farm Bureau Award recipients. by *Herron, *Burks.

Senate Joint Resolution No. 146 -- Memorials, Professional Achievement - Dr. Naomi Geraldine "Gerry" House, 1999 National Superintendent of the Year. by *Dixon, *Kyle, *Ford J, *Leatherwood, *Person, *Cohen.

Senate Joint Resolution No. 149 -- Memorials, Public Service - Frankie S. Blakley. by *Davis L.

Senate Joint Resolution No. 150 -- Memorials, Public Service - John A. Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 151 -- Memorials, Public Service - Ronnie Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 152 -- Memorials, Public Service - John C. Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 153 -- Memorials, Public Service - Joe Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

Senate Joint Resolution No. 154 -- Memorials, Public Service - Mike Hobbs. by *Haynes, *Harper, *Henry, *Rochelle.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

Senate Joint Resolution No. 106 -- Naming and Designating - "My Homeland Tennessee," by Alice Givin Henry, as official bicentennial painting of state. by *Cohen.

House State and Local Government Committee

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1936, was/were referred to the Delayed Bills Committee.

House Bill No. 1936 -- Ethics - Adds health screenings and amenities to authorized gifts which may be provided to candidates for public office or officials in the legislative and executive branch at conferences sponsored by associations of elected government officials, staff, or both, or umbrella organizations; no longer limited to state paying membership dues to such conference. Amends TCA Section 3-6-114. by *Boyer, *McDaniel. (*SB1389 by *Rochelle)

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 165** -- Highway Signs - Designates "Albert Gore, Sr. Memorial Interstate Highway System" in Tennessee; provides for appropriate signage. by *Cohen, *Atchley, *Burks, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Person, *Rochelle, *Springer, *Wilder, *Williams, *Womack. (HB843 by *Naifeh, *Rinks, *DeBerry L, *Hargrove, *Williams (Williamson))

Senate Bill No. 265 -- Pensions and Retirement Benefits - Establishes maximum benefits for certain members of TCRS. Amends TCA Section 8-36-208. by *Rochelle, *Womack, *Harper, *Herron. (*HB239 by *Rhinehart)

***Senate Bill No. 388** -- Advertising - Specifies that vegetation not eligible for removal under vegetation control permit if, on day outdoor advertising is erected, such vegetation blocks vehicle occupants' view of outdoor advertising from a distance 500 yards or less on main traveled ways. Amends TCA Section 54-21-119. by *Cooper. (HB1049 by *Buck, *White)

***Senate Bill No. 421** -- Consumer Protection - Gives consumer 30 days to cancel services or membership if consumer received, subscribed to or purchased services or membership by executing unsolicited negotiable instrument. Amends TCA Title 47, Chapter 18, Part 1. by *Fowler, *Herron. (HB787 by *Wood)

***Senate Bill No. 462** -- Judgments - Exempts Families First benefits from execution, seizure or attachment. Amends TCA Section 26-2-111. by *Harper, *Dixon. (HB947 by *Brooks, *Cooper B, *Jones, S., *Brown, *Pruitt, *DeBerry L, *Miller L)

***Senate Bill No. 474** -- Driver Licenses - Establishes maximum reinstatement fee of \$500 for all revocation/suspension actions over ten years old. Amends TCA Section 55-12-129. by *Henry, *Dixon. (HB511 by *Odom)

***Senate Bill No. 514** -- Bail, Bail Bonds - Requires professional bondsman arrested for felony to notify and provide information concerning arrest to each court before which bondsman qualified to practice. Amends TCA Title 40, Chapter 11, Part 3. by *Cohen. (HB1519 by *Buck)

Senate Bill No. 614 -- Highways, Roads and Bridges - Requires chief administrative officers under county uniform highway law to demonstrate receipt of high school diploma or equivalency diploma if such diploma required under law. Amends TCA Section 54-7-104. by *Davis L. (*HB421 by *Rhinehart)

***Senate Bill No. 632** -- Driver Licenses - Provides suspension or revocation of driver license not take effect until ten days after notice has been sent to driver's last known address; provides that notice requirement does not apply to license suspension or revocation by court of competent jurisdiction or where license surrendered to court. Amends TCA Title 55, Chapter 50, Part 5. by *Fowler, *Dixon. (HB782 by *McAfee)

THURSDAY, MARCH 11, 1999 -- FIFTEENTH LEGISLATIVE DAY

Senate Bill No. 742 -- Tennessee Housing Development Agency - Removes requirement that state and local appropriation portions of homebuyer's revolving loan fund pool be interest free. Amends TCA Section 13-23-303(a). by *Dixon. (*HB564 by *Bowers)

Senate Bill No. 782 -- Highway Signs - "Metcalf Overlook," most southerly scenic overlook on U.S. 23 in Unicoi County. by *Haun. (*HB542 by *Whitson)

Senate Bill No. 788 -- Mobile Homes and Manufactured Buildings - Specifies circumstances under which owner of land used as mobile home or trailer park may acquire lien on moveable structure for rent due; requires notice to other lienholders by owner of such land before any lien is granted to such owner, except for first priority lien for municipal and county taxes. Amends TCA Section 67-5-802. by *Haun. (*HB625 by *Lewis, *Ford S, *Goins, *Baird, *Curtiss, *Ferguson)

***Senate Bill No. 793** -- Ethics - Permits former member of registry of election finance to support candidate or committee of candidate for federal office in any way, including financially. Amends TCA Section 2-10-203. by *Cohen, *Rochelle, *Dixon. (HB814 by *Kisber)

***Senate Bill No. 923** -- Highway Signs - "Senator Carl O. Koella, Jr., Memorial Highway," I-140 from I-40 in Knox County to U.S. 321 in Blount County. by *Clabough, *Cooper, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack. (HB1239 by *Kerr, *McCord, *Montgomery, *Buttry)

Senate Bill No. 933 -- Game and Fish Laws - Authorizes Gatlinburg to charge one-day fee of \$2.00 and three-day fee of \$6.00 for trout fishing licenses. Amends TCA Section 70-2-219. by *Clabough. (*HB527 by *Montgomery)

***Senate Bill No. 957** -- Insurance Companies, Agents, Brokers, Policies - Permits any mutual insurance company other than life insurance company to become state stock insurance company Amends TCA Section 56-19-125. by *Haun. (HB1220 by *Sargent)

Senate Bill No. 1025 -- Sewage - Authorizes water and wastewater treatment authorities to regulate non-traditional sewage disposal systems that serve more than one household Amends TCA Section 68-221-607. by *Blackburn. (*HB817 by *Sargent, *Williams (Williamson))

Senate Bill No. 1446 -- Highway Signs - "George Morgan Parkway," segment of U.S. Highway 27 in Hamilton County. by *Fowler. (*HB796 by *Sharp)

***Senate Bill No. 1108** -- Pensions and Retirement Benefits - Allows certain Group 1 members of TCRS to collect extra amounts such members paid into TCRS. Amends TCA Section 8-36-201(g). by *Cooper. (HB1331 by *Hargrove)

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 9, 1999**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 11, 1999**: House Bill(s) No(s). 36, 659, and 20.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 15, 1999**: House Bill No. 542.

AGRICULTURE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 587 and 696, also House Bill(s) No(s). 225 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CHILDREN & FAMILY AFFAIRS

The Children and Family Affairs Committee recommended for passage: House Bill(s) No(s). 1138. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 218 and House Joint Resolution(s) No(s). 36, also House Bill(s) No(s). 1532 and 252 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 263, 530, and 666, also House Bill(s) No(s). 634, 698, 699, 454, 787, and 1213 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 677 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 676 and 1110 and House Joint Resolution(s) No(s). 67, also House Bill(s) No(s). 458 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 624, 453, and 498; also House Bill(s) No(s). 674 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 239, 240, 836, and 1871. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended that House Bill(s) No(s). 45 be transmitted to the Education Committee, House Bill(s) No(s). 1368 be transmitted to the Health and Human Resources Committee with amendments, and House Bill(s) No(s). 1720 be transmitted to the Commerce Committee with amendments.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 540 and 315, also House Bill(s) No(s). 233 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 1270, 649, and 547, also House Bill(s) No(s). 26 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 10, 1999**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for March 11, 1999**: House Bill(s) No(s). 13, 270, and 322; also the Committee set the following bill(s) on the **Regular Calendar for March 18, 1999**: House Bill(s) No(s). 210.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for March 15, 1999**: House Bill(s) No(s). 528, 388, 401, 403, 404, 405, 406, 407, 408, and 410.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 422, 17, and 19 and House Resolution(s) No(s). 2, 3, and 4, also House Bill(s) No(s). 35, 549, 1072, 762, 197, and 259 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 237 and 1130 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 843, 885, 421, 1764, 1239, 858 and 1454, House Resolution(s) No(s). 19, House Joint Resolution(s) No(s). 80, 88, 73, 59, 89, and 92, and Senate Joint Resolution(s) No(s). 28. Under the rules, each was transmitted to the Calendar and Rules Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 11, 1999**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 15, 1999**: House Bill(s) No(s). 1273, 666, 263, 787, 690, 698, 699 and 634.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 15, 1999**: House Joint Resolution(s) No(s). 67, House Bill(s) No(s). 836, 315, 696 and House Joint Resolution(s) No(s). 52.

CAPTION BILLS REFERRED

Pursuant to **Rule No. 47**, the following Caption Bill(s), 506, 798 and 1124 held on the Clerk's desk were referred to the following Committee(s):

***House Bill No. 506** -- Transportation -- House Transportation Committee

***House Bill No. 798** -- Probation and Parole -- House State and Local Government Committee

***House Bill No. 1124** -- Welfare -- House Health and Human Resources Committee

REGULAR CALENDAR

***House Bill No. 436** -- Fire Prevention and Investigation - Authorizes additional or alternative method for counties to fund fire protection services in unincorporated areas through situs based taxes collected in unincorporated areas or revenues already shared with municipalities. Amends TCA Title 5, Chapter 17. by *Curtiss. (SB508 by *Burks, *Rochelle)

Rep. Curtiss moved that House Bill No. 436 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 436 By adding the following language to the amendatory language of Section 1 as a new subdivision (4):

(4) Nothing in this act shall prohibit nor be construed to prohibit a local government from accepting donations or charitable contributions to fund the activities of the fire department regardless of the method of funding selected by a local government under the provisions of this section.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 436 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____, Tennessee Code Annotated, Section 5-17-103(c), is amended by deleting the subsection in its entirety, and by substituting instead the following language:

(c) The county fire chief shall be appointed by the county executive, subject to confirmation by the county legislative body or other governing body.

On motion, State and Local Government Committee Amendment No. 2 was adopted.

Rep. Curtiss moved that **House Bill No. 436**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

OUT OF ORDER

RECOGNITION IN THE WELL

Rep Turner (Hamilton) was recognized in the well to introduce U.S. Navy Admiral Joseph W. Prueher.

RESOLUTION READ

The Clerk read Senate Joint Resolution No. 121 honoring Admiral Prueher.

REGULAR CALENDAR, CONTINUED

House Bill No. 300 -- Teachers, Principals and School Personnel - Deletes references to "probationary teacher" to reflect removal of that position by 1998 statute. Amends TCA Title 49, Chapter 5, Parts 50 through 56 and Section 49-6-3004. by *Maddox. (*SB359 by *Womack, *Dixon)

Further consideration of House Bill No. 300 previously considered on March 4, 1999 and reset for today's Calendar.

On motion, House Bill No. 300 was made to conform with **Senate Bill No. 359**; the Senate Bill was substituted for the House Bill.

Rep. Maddox moved that Senate Bill No. 359 be passed on third and final consideration.
Rep. Maddox moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 359 by deleting the period at the end of the amendatory language in Section 6 of the printed bill and by adding the following:

which shall be valid for one (1) year.

On motion, Amendment No. 1 was adopted.

Rep. Maddox moved that **Senate Bill No. 359**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

***House Bill No. 46** -- Consumer Protection - Exempts county fairs from registration fees and bond requirements for conducting beauty pageant. Amends TCA Section 47-18-202. by *Givens, *McDaniel, *Bone. (SB51 by *Rochelle)

Rep. Givens moved that House Bill No. 46 be reset for the Regular Calendar on March 15, 1999, which motion prevailed.

***House Bill No. 36** -- Ethics - Conforms filing date for computing time when filing conflict of interest statements to that required for financial disclosure statements and for calculating date when filing date falls on a Saturday, Sunday or legal holiday. Amends TCA Title 8, Chapter 50, Part 5. by *Head, *Hargett. (SB44 by *Cooper)

Rep. Head moved that **House Bill No. 36** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

House Bill No. 659 -- Domestic Violence - Provides that person arrested for domestic violence not be released from custody on bail within 12 hours of such arrest unless official authorized to release such person makes certain written findings which will be attached to the warrant; provides law enforcement agency having custody of defendant give victim of domestic violence address and telephone number of nearest source of assistance. Amends TCA Title 40, Chapter 11, Part 1. by *Ferguson, *Bowers, *Jones, S., *Newton, *Lewis, *Turner (Hamilton), *Rinks, *Eckles, *DeBerry L., *Gunnels, *McKee, *Tindell, *Harwell, *Caldwell, *Towns, *Hassell, *Scroggs, *Arriola, *Cooper B., *Buck, *Bittle, *Ridgeway, *Fraleay, *Stulce, *Winningham, *Hargett. (*SB611 by *Davis L)

Rep. Ferguson moved that House Bill No. 659 be passed on third and final consideration.

Rep. Newton moved the previous question, which motion prevailed.

Rep. Ferguson moved that **House Bill No. 659** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Buck, Sands -- 2.

A motion to reconsider was tabled.

House Bill No. 20 -- County Government - Includes as authorized nonprofit civic organizations to which county may appropriate funds for financial aid to bring about civic betterment and social improvement, 501(c)(6) entities, i.e., not-for-profit business leagues, chambers of commerce, real-estate boards, boards of trade, or professional football leagues. Amends TCA Section 5-9-109. by *Hargett. (*SB17 by *Leatherwood)

Rep. Hargett moved that House Bill No. 20 be passed on third and final consideration.

Rep. Langster moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 20 By deleting Section 1 in its entirety, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 5-9-109(a)(1), is amended in the first sentence by inserting the language ", any chamber of commerce, exempt from taxation pursuant to §501(c)(6) of the Internal Revenue Code of 1954, as amended," between the language "charitable organization" and the language "or any nonprofit civic organization".

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Hargett moved that **House Bill No. 20**, as amended be passed on third and final consideration, which motion prevailed by the following vote:

Ayes94
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 13 -- Judges and Chancellors - Adds probate court to list of courts allowed special judges to help with congestion and delay of litigation; adds judges in county trial courts of record to list of judges allowed to appoint substitute judge. Amends TCA Title 17, Chapter 2, Part 1. by "Scroggs. ("SB25 by "Kyle)

On motion, House Bill No. 13 was made to conform with **Senate Bill No. 25**; the Senate Bill was substituted for the House Bill.

Rep. Scroggs moved that **Senate Bill No. 25** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 270 -- Union County - Subject to local approval, restricts sale of fireworks to vendors conducting business throughout year in permanent structure at least 20 feet by 20 feet with permanent utility services. by *Goins. (SB72 by *Williams)

Rep. Goins moved that **House Bill No. 270** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 322 -- Children - Adds Knox County and any municipality in Knox County to counties and municipalities allowed to adopt Child Curfew Act of 1995 by resolution or ordinance. Amends TCA Title 39, Chapter 17, Part 17. by *Buttry. (*SB271 by *Burchett)

On motion, House Bill No. 322 was made to conform with **Senate Bill No. 271**; the Senate Bill was substituted for the House Bill.

Rep. Buttry moved that **Senate Bill No. 271** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McAfee moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 138 out of order, which motion prevailed.

House Joint Resolution No. 138 -- Memorials, Professional Achievement - Chattanooga Coca-Cola Bottling Company, celebrating 100 years. by *McAfee, *Stulce, *Wood, *Brown, *Sharp.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McAfee, with the request that all members voting aye be added as sponsors, the resolution was adopted.

RULES SUSPENDED

Rep. Turner (Shelby) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 143 out of order, which motion prevailed.

Senate Joint Resolution No. 143 -- General Assembly, Joint Conventions - Dr. Naomi Geraldine "Gerry" House, 1999 National Superintendent of the Year by the AASA; and election of members of state election commission, Monday, March 15, 1999; 5:30 p.m. by *Dixon.

Rep. Turner (Shelby) moved that Senate Joint Resolution No. 143, be concurred in.

Rep. Turner (Shelby) moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Joint Resolution No. 143 by deleting the period at the end of the caption of the resolution and by adding the following:

and to elect the members of the state election commission.

AND FURTHER AMEND by adding a new resolving clause as follows:

BE IT FURTHER RESOLVED, that the Senate and the House of Representatives also act to elect the members of the state election commission at the March 15, 1999 joint convention.

On motion, Amendment No. 1 was adopted.

On motion of Rep. Turner (Shelby), Senate Joint Resolution No. 143, as amended, was concurred in by the following vote:

Ayes93
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

BILLS WITHDRAWN

On motion of Rep. McDaniel, **House Bill No. 1913** was recalled from the Transportation Committee and withdrawn from the House.

On motion of Rep. Kerr, **House Bill No. 616** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Winningham, **House Bill No. 654** was withdrawn from the House.

On motion of Rep. Scroggs, **House Bill No. 548** was recalled from the Judiciary Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

- House Bill No. 4:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 34:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 197:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 442:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 454:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 530:** Rep(s). Langster, Hargett, and Pleasant as prime sponsor(s).
- House Bill No. 585:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 598:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 673:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 674:** Rep(s). Bowers, L. DeBerry, Maddox, and Mumpower as prime sponsor(s).
- House Bill No. 677:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 690:** Rep(s). Pruitt as prime sponsor(s).
- House Bill No. 693:** Rep(s). Pruitt as prime sponsor(s).
- House Bill No. 787:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 790:** Rep(s). Hargett and Pleasant as prime sponsor(s).
- House Bill No. 843:** Rep(s). Langster as prime sponsor(s).
- House Bill No. 852:** Rep(s). Walker as prime sponsor(s).
- House Bill No. 853:** Rep(s). Walker as prime sponsor(s).
- House Bill No. 915:** Rep(s). Beavers, Bittle, Davidson, Hargett, and Pinion, and Fitzhugh as prime sponsor(s).
- House Bill No. 978:** Rep(s). Pruitt and Langster as prime sponsor(s).
- House Bill No. 979:** Rep(s). Pruitt and Langster as prime sponsor(s).
- House Bill No. 1130:** Rep(s). Todd as prime sponsor(s).

THURSDAY, MARCH 11, 1999 -- FIFTEENTH LEGISLATIVE DAY

House Bill No. 1243: Rep(s). Ferguson as prime sponsor(s).

House Bill No. 1244: Rep(s). Ferguson as prime sponsor(s).

House Bill No. 1618: Rep(s). Naifeh as prime sponsor(s).

House Bill No. 1912: Rep(s). West as prime sponsor(s).

MESSAGE FROM THE SENATE

March 11, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 247; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

March 11, 1999

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 20, 36, 270, 436, also, House Joint Resolution(s) No(s) 138.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 11, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 311, 1224 and 1566; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 11, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 138; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 11, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 51; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 51 -- Consumer Protection - Exempts county fairs from registration fees and bond requirements for conducting beauty pageant. Amends TCA Section 47-18-202. by *Rochelle, *Haun. (*HB46 by *Givens, *McDaniel, *Bone, *Beavers, *Hargrove, *Maddox, *Winningham, *Whitson, *Davis (Cocke), *Sands)

SIGNED

March 11, 1999

The Speaker signed the following: Senate Bill(s) No(s). 39, 62, 369 and 422.

ENGROSSED BILLS

March 11, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s) 659.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 11, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 45, 114, 117, 118, 119, 120, 122, 123, 124, 125, 126, 127 and 128; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 11, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 301, 311, 420, 459, 507, 525, 631, 693, 750, 754, 765, 777, 799, 1023 and 1450; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 301** -- Courts, General Sessions - Increases jurisdiction of general sessions courts of Hamilton County from \$10,000 to \$15,000, same as other general sessions courts. Amends TCA 16-15-501(d)(2)(B). by *Crutchfield. (HB521 by *Turner (Hamilton), *Brown, *Sharp, *McAfee, *Stulce, *Wood)

Senate Bill No. 311 -- Anatomical Gifts - Authorizes organ procurement agency to enter into reciprocal agreements approved by united network for organ sharing as determined by federal government, to share organs; protects organs procured by agency by permitting transfer of organ to out-of-state organ procurement agency only if suitable recipient in this state is not found in reasonable amount of time. Amends TCA Title 68, Chapter 30. by *Ford J. (*HB233 by *Bowers)

***Senate Bill No. 420** -- Sexual Offenses - Expands crime of indecent exposure to include any person who knowingly invites or lures minor child of another into such person's residence for purpose of attaining sexual arousal or gratification through intentional exposure of genitals or buttocks to such minor child. Amends TCA Section 39-13-511. Repeals Section 4 of Chapter No. 542 of the Public Acts of 1994. by *Fowler, *Crowe. (HB614 by *Kerr, *Bowers)

***Senate Bill No. 459** -- Insurance Companies, Agents, Brokers, Policies - Limits obligation of state guaranty insurance association to defend and pay benefits under certain circumstances; stipulates respective rights between state guaranty insurance association and insureds and rights of association to recover amounts of certain covered claims. Amends TCA Title 56, Chapter 12 and Title 56, Chapter 9. by *Womack, *Person. (HB496 by *Sands, *Walker (Rhea))

***Senate Bill No. 507** -- Real Property - Defines "parties interested" in foreclosure statute; "parties interested" means any person who has recorded interest in the property at least ten days prior to date of first advertisement or publication of foreclosure notice; resolves question as to liability of trustee to second mortgagee or other party not listed in notice. Amends TCA Title 35, Chapter 5. by *Rochelle. (HB549 by *Scroggs)

***Senate Bill No. 525** -- Trusts - Permits trustee to provide certificate of existence of trust to any third party to validate trustee's authority to transfer assets of trust; third party is bound by certificate unless third party has actual knowledge that certificate is incorrect; if third party refuses to accept certificate, third party may be liable for costs and damages caused by such refusal Amends TCA Title 35, Chapter 50. by *Fowler. (HB1396 by *Fowlkes)

***Senate Bill No. 631** -- County Officers - Requires name of person preparing power of attorney, including durable power of attorney for health care, to appear on face of document if such document is to be filed of record by county registrar; specifies provision will not apply to UCC instruments except for fixture filings. Amends TCA Section 66-24-115. by *Fowler. (HB601 by *Sharp)

***Senate Bill No. 693** -- Criminal Procedure - Makes knowing failure of agency to provide defendant or defendant's attorney with copy of arrest warrant contempt of court issuing warrant and requires agency to pay attorney fees and court costs incurred by defendant in obtaining copy of such warrant. Amends TCA Title 40, Chapter 6, Part 2. by *Kyle. (HB762 by *Buck)

***Senate Bill No. 750** -- Housing - Expands powers of housing authorities to include authority to own, operate, assist or participate in one or more mixed-finance projects to provide for construction, reconstruction, rehabilitation, improvement, alteration or repair of any housing project or part thereof. Amends TCA Title 13, Chapter 20, Part 1. by *Henry. (HB671 by *Langster, *Jones, S., *Briley, *Pruitt)

THURSDAY, MARCH 11, 1999 -- FIFTEENTH LEGISLATIVE DAY

***Senate Bill No. 754** -- Liens - Provides molder with lien and right to sell mold for which customer fails to pay. Amends TCA Title 66, by *Graves. (HB1052 by *McKee, *Fraleay)

Senate Bill No. 765 -- Game and Fish Laws - Modifies tag requirement for certain game animals; increases penalty for fishing in contaminated waters; revises procedures for seizure, sale and claiming of certain contraband. Amends TCA Title 70, Chapter 4, Part 116(d)(1); Title 70, Chapter 4, Part 119(b); Title 70, Chapter 6, Part 202(d); Title 70, Chapter 6, Part 203; Title 70, Chapter 6, Part 204; Title 70, Chapter 6, Part 205 and Title 70, Chapter 6, Part 206, by *Burchett. (*HB588 by *Bittle)

Senate Bill No. 777 -- Firefighters - Provides that governor shall appoint member, who maintains certification as EMT-P, EMT or registered nurse, from list of nominees presented by Tennessee Professional Firefighters Association to emergency medical services board. Amends TCA Title 68, Chapter 140, by *Haun, *Ramsey, *Williams. (*HB648 by *Harwell)

Senate Bill No. 799 -- Privacy, Confidentiality - Enacts "Video Consumer Privacy Act." Amends TCA Title 47, Chapter 18, by *Cohen, *Dixon. (*HB593 by *DeBerry L, *Bowers)

Senate Bill No. 1023 -- Safety - Requires commissioner of labor to develop standards of safe needles for employers to use. Amends TCA Title 50, Chapter 3, by *Ford J. (*HB634 by *Arriola, *Cooper B)

***Senate Bill No. 1450** -- Utilities, Utility Districts - Provides certain procedures to protect underground utilities when excavations or demolitions are being performed. Amends TCA Title 65, Chapter 31, by *Atchley. (HB1099 by *Head)

MESSAGE FROM THE GOVERNOR

March 11, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 12, 32, 182, 202, 249, 292, 295, 296, 312, 432, 471, 490, 491 and 600, also, House Joint Resolution(s) No(s). 28, 65, 81, 90, 91, 93, 94, 96, 97, 99, 100, 102, 103, 104, 105, 108, 109, 110 and 111; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

ENROLLED BILLS

March 11, 1999

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 311, 433, 1224 and 1566, also, House Joint Resolution(s) No(s) 45, 112, 114, 117, 118, 119, 120, 122, 123, 124, 125, 126, 127, 128 and 138.

BETTY KAY FRANCIS, Chief Engraving Clerk.

SIGNED
March 11, 1999

The Speaker signed the following: House Bill(s) No(s). 311, 433, 1224 and 1566; also, House Joint Resolution(s) No(s). 45, 112, 114, 117, 118, 119, 120, 122, 123, 124, 125, 126, 127, 128 and 138.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

CONSENT CALENDAR
March 11, 1999

The following local bills have been placed on the Consent Calendar for **March 15, 1999**: House Bill No. 1931.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Arriola, the House stood in recess until 5:00 p.m., Monday, March 15, 1999.